

**PUBLIC SERVICE COMMISSION OF SOUTH CAROLINA
COMMISSION DIRECTIVE**

ADMINISTRATIVE MATTER

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DATE

December 04, 2013

MOTOR CARRIER MATTER

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DOCKET NO.

2013-275-WS

UTILITIES MATTER

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ORDER NO.

2013-868

THIS DIRECTIVE SHALL SERVE AS THE COMMISSION'S ORDER ON THIS ISSUE.

SUBJECT:

DOCKET NO. 2013-275-WS - Application of Carolina Water Service, Incorporated for Adjustment of Rates and Charges, and Modification of Certain Terms and Conditions for the Provision of Water and Sewer Service - Discuss with the Commission the Petition for Reconsideration of Order No. 2013-773 Filed by Donald G. Long.

COMMISSION ACTION:

I move that we deny in its entirety the Petition for Reconsideration of Order No. 2013-773 filed by Donald G. Long. Mr. Long presented no new matter in his Petition that would persuade us to change any ruling in Order No. 2013-773. The Order was well-reasoned and was based on the law and the facts of this case. Mr. Chairman, by way of a further explanation for our proposed ruling, I would note that Mr. Long's Petition continues to ignore Commission Regulation 103-805, which states among other things that an individual may only represent him or herself. A group or organization must be represented by legal counsel. This regulation is based on rulings from the South Carolina Supreme Court. Therefore, I move that we reiterate our caution to Mr. Long that, under current law, he may only represent himself in this case. Further, Mr. Long takes issue with the three-minute limitation imposed on public witnesses. S.C. Code Annotated Section 58-3-225 (A) states that "Hearings conducted before the Commission must be conducted under dignified and orderly procedures designed to protect the rights of all parties." Also, Section 58-3-40 notes that the Chairman of the Commission is the chief executive and administrative officer of the Commission. Considered together, the two statutes vest discretion with the Chairman in establishing dignified and orderly procedures at hearings. Establishment of the three minute time limit for public witness testimony is within the sound discretion of the Chairman. Also, Mr. Chairman, I would note that Order No. 2013-773 imposed a November 1, 2013 deadline on Mr. Long to notify this Commission of his status as either an intervenor or a protestant. Mr. Long failed to meet the deadline in the Order. As pointed out by Carolina Water Service, this failure to notify by the November 1 deadline should result in the denial of intervenor status. I agree, and move that we deny Mr. Long's intervenor status. Mr. Long may appear as a Protestant at a public hearing, subject to Commission rules. He may submit any documents, including a detailed written statement or exhibits that he deems appropriate in advance of his testimony at the night hearing to the Court Reporter, and may discuss them in his presentation, subject to any objections of the parties.

PRESIDING: HamiltonSESSION: RegularTIME: 2:00 p.m.

	MOTION	YES	NO	OTHER
FLEMING	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
HALL	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
HAMILTON	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
HOWARD	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

MC GEE	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
RANDALL	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
WHITFIELD	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

(SEAL)



RECORDED BY: J. Schmieding